



Virginia
Regulatory
Town Hall

Periodic Review and
Notice of Intended Regulatory Action
Agency Background Document

Agency Name:	Virginia Employment Commission
VAC Chapter Number:	16 VAC 5-70
Regulation Title:	Interstate and Multistate Claimants
Action Title:	Review & Pre-NOIRA
Date:	June 28, 2000

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to amend or repeal an existing regulation and is required to be submitted to the Registrar of Regulations as a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B).

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

Establishes and designates the criteria and procedures that the Commission will follow in its administrative cooperation with other states for the filing and processing of interstate claims and combined-wage claims.

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or

discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

Sections 60.2-111 and 623 of the Code of Virginia

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was or will be formed for purposes of assisting in the periodic review or development of a proposal.

No public comment was received regarding this regulation. No informal advisory group was or will be formed for purposes of assisting in the periodic review or development of a proposal.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

GOALS

Promote the prompt and efficient processing of interstate liable claims by making 70% of first payments within 14 calendar days of the first compensable week claimed.

Promote the prompt and efficient processing of combined wage claims by ensuring that 90% of all combined wage transfer requests are completed within 3 business days from when the request is received.

EFFECTIVENESS

To ensure that the Unemployment Insurance program operates effectively, the agency must have a mechanism to make sure that interstate claims are processed and paid efficiently and effectively. This goal is accomplished by ensuring that 70% of first payments are made within 14 calendar days of the first compensable week claimed. Effective and efficient processing of combined wage claims is ensured by processing 90% of all combined wage transfer requests within 3 busines days from when the request is received.

These processes ensure that the agency effectively administers this important benefits program. The regulation has been successful in meeting the goals ascribed to to it, and is well written and

easily understandable. However, as the agency moves to service delivery utilizing expanding technology pursuant to Executive Order 65 (00), the regulation must contemplate alternatives to filing multistate claims.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

The agency discussed alternatives that would allow better utilization of expanding technology. The agency is of the opinion that changes to the regulation would be less burdensome to all citizens and would better allow the agency to administer an important government function.

Recommendation

Please state whether the agency is recommending the regulation be amended or terminated and the reasons such a recommendation is being made.

The agency recommends that this regulation be amended to better utilize expanding technologies.

Substance

Please detail any changes that would be implemented.

The language of this regulation should be expanded to allow interstate claimants to file claims by telephone and the Internet. Also, language will be added regarding the cancellation and withdrawal of combined wage claims.

Family Impact Statement

Please provide a preliminary analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposed changes to the regulation will have a positive impact on the family and family stability by allowing the agency and interstate claimants the opportunity to take advantage of

expanding technologies. The changes will make it easier for the agency to effectively and efficiently provide services and make it easier for all citizens to take advantage of the agency's services.